

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

KIMBERLY and JOHN STAPLES,

Plaintiffs,

v.

H. WALKER ENTERPRISES, LLC,  
RENAISSANCE MAN FOOD  
SERVICES, LLC, and SIMMONS

Defendants.

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Case No: 7:18-cv-00160-LSC

**DEFENDANT SIMMONS PREPARED FOODS, INC.'S  
EXHIBIT LIST**

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>1</b>				Limited Liability Company Agreement of Walker Foods, LLC (RMFS 369-417)
	<b>2</b>				Simmons' offer of employment to John Staples, dated June 12, 2008 (Simmons 65)
	<b>3</b>				Chip Miller email to Linda Ross re: update to offer to John Staples (Simmons 96-97)
	<b>4</b>				Simmons' offer of employment to John Staples, dated February 20, 2009 (Simmons 98)
	<b>5</b>				John Staples' executed offer letter, dated March 6, 2009 (Simmons 80)
	<b>6</b>				Consent Resolutions of the Board of Managers of Walker Foods, LLC (Simmons 555-57)

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>7</b>				Redline draft MOU between Herschel Walker and Simmons Prepared Food[s], Inc. (Simmons 251-57)
	<b>8</b>				Simmons' Performance Management for John Staples (Simmons 68)
	<b>9</b>				Execution copy of MOU between H. Walker Enterprises, LLC and Simmons Prepared Food[s], Inc. (Simmons 244-50)
	<b>10</b>				John Staples email to Herschel Walker re: brokerage, structure, and compensation (Staples 4733)
	<b>11</b>				John Staples email to Daniel Houston re: Alabama residency (RMFS 251-54)
	<b>12</b>				Gary Murphy email to John Staples re: account management (John Staples Deposition Exhibit No. 57)
	<b>13</b>				Operating Agreement of Diversified Food Solutions LLC (Staples 26-39)
	<b>14</b>				Executed Renaissance Man Food Services, LLC Broker Agreement (John Staples' Deposition Exhibit No. 13)
	<b>15</b>				Executed Operating Agreement of Diversified Sales and Marketing LLC (Staples 44-57)
	<b>16</b>				Simmons' Disciplinary Actions Policy (rev. 01-01-15) (Simmons 201-02)
	<b>17</b>				Letter from Randy Sanders re: Kim Staples' relocation (Staples 731)

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>18</b>				Executed Inventory Agreement between Simmons Prepared Foods, Inc. and Renaissance Man Food Services, LLC (Simmons 258-60)
	<b>19</b>				John Staples' 2015 W-2 (Simmons 1-2, 5,6)
	<b>20</b>				John Staples email to Clinton Sledge re: change of address (John Staples' Deposition Exhibit No. 61)
	<b>21</b>				Executed Limited Liability Company Agreement of DSM Sales and Marketing, LLC (Staples 542-96)
	<b>22</b>				John Staples' email to Simmons' employees re: old broker, new broker (Staples 729)
	<b>23</b>				John Staples' email to Randy Sanders re: RMFS w/ attachment (John Staples' Deposition Exhibit No. 12)
	<b>24</b>				Ron Eisenman email to John Staples re: draft of the LLC Agreement for new DSM Sales and Marketing (RMFS 34-93)
	<b>25</b>				Executed Broker Agreement between RMFS and DSM Sales & Marketing, LLC, dated October 1, 2016 (Staples 2138-43)
	<b>26</b>				Chris Drazan email to John Staples re: opportunities (RADIANT-GT 19)
	<b>27</b>				John Staples email to Katie Redmond re: DSM authorization (John Staples Deposition Exhibit No. 7)
	<b>28</b>				David Jackson email to John Staples re: administrative fee (Staples 737-39)

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>29</b>				Ron Eisenman email to John Staples re: administrative fee (Staples 805-08)
	<b>30</b>				Herschel Walker email to David Jackson re: Simmons' administrative fee (Simmons 137-39)
	<b>31</b>				John Staples' 2016 W-2 (Simmons 7-8)
	<b>32</b>				John Staples email to Ron Eisenman re: February brokerage (John Staples Deposition Exhibit No. 9)
	<b>33</b>				David Jackson email to Herschel Walker and Ron Eisenman re: expense reimbursement issue (John Staples Deposition Exhibit No. 43)
	<b>34</b>				Todd Simmons email to David Jackson re: expense reimbursement issue (Simmons 153-56)
	<b>35</b>				Consultant Agreement between DSM Sales and Marketing, LLC and Momentum Sales and Marketing (Staples 2020-29)
	<b>36</b>				John Staples email to Ron Eisenman re: Waffles - first order pending (Staples 4814-817)
	<b>37</b>				Herschel Walker email to John Staples re: preparation for Simmons meeting (Staples 791-93)
	<b>38</b>				John Staples email to Randy Sanders re: response re DSM bank account (John Staples Deposition Exhibit No. 4)
	<b>39</b>				Text messages re: MSM (RT-043)

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>40</b>				John Staples email to Tyson and Sysco employees re: RMFS & DSM (Staples 757)
	<b>41</b>				John Staples email to Brooke Fowler re: DSM (John Staples Deposition Exhibit No. 28)
	<b>42</b>				Chris Drazan email to John Staples re: our call (with attachment) (RADIAN-GT 108-10)
	<b>43</b>				Endorsed RMFS check to DSM Sales & Marketing for \$78,006.55 (Simmons 224)
	<b>44</b>				John Staples email to Keri Simms re: potential case (John Staples Deposition Exhibit No. 44)
	<b>45</b>				Calendar invitation from Chip Miller for call to discuss RMFS concerns at 10-24-2017, 8:30 am (Simmons 123)
	<b>46</b>				John Staples acceptance of Chip Miller's calendar invitation for call to discuss RMFS concerns at 10-24-2017, 8:30 am (John Staples Deposition Exhibit No. 45)
	<b>47</b>				Matt Free email to Chip Miller, David Rose, and David Jackson re: updated RMSF pricing (Simmons 124-25)
	<b>48</b>				David Jackson email to Herschel Walker and Ron Eisenman re: RMFS Board Meeting (Simmons 157-61)
	<b>49</b>				John Staples email to Chip Miller re: untrained telemarketers (Simmons 126-28)

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>50</b>				Julie Blanchard email to Carol Walker re: Peachtree Packaging PO error (RMFS 312)
	<b>51</b>				John Staples email to David Jackson, Chip Miller, and Matt Free re: update on meeting with Herschel Walker, Julie Blanchard, and Ron Eisenman (Simmons 129)
	<b>52</b>				Kim Staples email to Blaine Walker re: need answers – input needed (Kim Staples Deposition Exhibit No. 65)
	<b>53</b>				Herschel Walker email to David Jackson re: RMFS board meeting (RMFS 257-60)
	<b>54</b>				John Staples email to Herschel Walker, Julie Blanchard, Kim Staples, and Ron Eisenman re: SWOT analysis (Staples 3999-4001)
	<b>55</b>				Text messages re: Goodman (RT-047-48)
	<b>56</b>				David Jackson notification re: John Staples calendar invitation at 12-11-2017, 10:00 a.m. (Simmons 130)
	<b>57</b>				John Staples email to Bud Taylor re: DSM (Robert Thurber Deposition Exhibit No. 31)
	<b>58</b>				Julie Blanchard's handwritten notes of December 12, 2017 meeting (RMFS 114-17)
	<b>59</b>				Text messages discussing NEWCO (RT-051)
	<b>60</b>				Text messages re: meeting and structure of business (RT-050-51)

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>61</b>				John Staples email to Robert Thurber re: 2018 (John Staples Deposition Exhibit No. 56)
	<b>62</b>				Herschel Walker email to David Jackson re: John Staples' termination (RMFS 118-19)
	<b>63</b>				Ron Eisenman email to Herschel Walker and David Jackson re: memorandum to Herschel Walker about John Staples (RMFS 106-08)
	<b>64</b>				Transcript of December 27, 2018 meeting with Herschel Walker, Ron Eisenman, and John Staples (with audio recording) (RMFS 120-201, RMFS 452 (audio))
	<b>65</b>				David Jackson email to Linda Ross re: RMFS change (Simmons 131)
	<b>66</b>				noreply@simfoods.com email to separation_team@sifoods.com re: John Staples (Simmons 033)
	<b>67</b>				David Jackson email to Herschel Walker re: John Staples' termination (RMFS 111-13)
	<b>68</b>				Ron Eisenman email to John Staples re: Purchase Agreement (DSM) (Staples 1-2, 5-21)
	<b>69</b>				Ron Eisenman email to Herschel Walker, Julie Blanchard, Kim Staples, and John Staples re: broker agreement termination letter (RMFS to DSM) (Staples 3-4)
	<b>70</b>				Personnel Action Form for John Staples' termination (Simmons 32)
	<b>71</b>				John Staples' 2017 W-2 (Simmons 9-10)

PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>72</b>				John and Kim Staples' 2017 Tax return (John Staples Deposition Exhibit No. 62)
	<b>73</b>				Ron Eisenman email to John Staples and Kim Staples re: withdrawal of offer (Staples 23-24)
	<b>74</b>				Robert Thurber's text messages (RT-1-73)
	<b>75</b>				Herschel Walker email to Kim Staples re: DSM's commission (John Staples Deposition Exhibit No. 10)
	<b>76</b>				Herschel Walker email to David Jackson re: brokerage termination letter (RMFS to DSM) (Simmons 162-63)
	<b>77</b>				Chip Miller email to David Jackson and Linda Ross re: Blair Staples (Simmons 168)
	<b>78</b>				David Jackson email to Chip Miller re: termination of Blair Staples (Simmons 167)
	<b>79</b>				Carol Walker email to Herschel Walker re: ACH (RMFS 304-06)
	<b>80</b>				Mimecast forward of John Staples' email to Robert Thurber re "John forwarding confidential RMFS Trade info to R. Thurber" (Robert Thurber Deposition Exhibit No. 33)
	<b>81</b>				Julie Blanchard email to Herschel Walker, Mike King, and Ron Eisenman re: Chris Drazan's October 19, 2017 email to John Staples and Robert Thurber (Robert Thurber Deposition Exhibit No. 26)
	<b>82</b>				Defendants' Expert Report – Richard Neathammer, CPA



PLF. No.	DEF. No	Date offered	Marked:	Admitted:	Description of Exhibits
	<b>83</b>				Plaintiffs' Third Amended Complaint
	<b>84</b>				Plaintiffs' Responses to Simmons' First Set of Interrogatories
	<b>85</b>				Plaintiffs' Responses to HWE and RMFS' Interrogatories
	<b>86</b>				Plaintiffs' Supplemental Responses to HWE and RMFS' Interrogatories
	<b>87</b>				Plaintiffs' Responses to HWE and RMFS' Second Interrogatories
	<b>88</b>				Plaintiffs' Rule 26 Initial Disclosures

Respectfully submitted,

/s/ Talley R. Parker

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**ATTORNEYS FOR DEFENDANT  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of January, 2020, a true and correct copy of the foregoing document has been served via the Court's CM/ECF filing system upon the following counsel of record:

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/s/ Talley R. Parker  
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